

AN ORDINANCE AUTHORIZING THE APPROVAL OF A RECORD PLAT, ALONG WITH A TRUST INDENTURE, A JOINT ROADWAY MAINTENANCE AGREEMENT, AND/OR THE NECESSARY SCRIPT UPON THIS INSTRUMENT FOR THE ADOPTION OF WAKEFIELD FARMS SUBDIVISION'S INDENTURES/RESTRICTIONS, AND A DEPOSIT AGREEMENT, TO BE SECURED BY ASSOCIATED LETTERS OF CREDIT GUARANTEEING CERTAIN REQUIRED IMPROVEMENTS, FOR A SEVEN (7) LOT RESIDENTIAL SUBDIVISION THAT IS LOCATED UPON A THIRTY-SIX (36) ACRE TRACT OF LAND, BEING PART OF ADJUSTED LOT B OF WITBRODT/WAKEFIELD FARM ROAD, ACCORDING TO THE BOUNDARY ADJUSTMENT PLAT, RECORDED IN BOOK 347, PAGE 493 OF THE ST. LOUIS COUNTY RECORDS; AND CONTAINED IN THE SECTION 3, TOWNSHIP 44 NORTH, RANGE 3 EAST, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI, AND MORE SPECIFICALLY SITUATED ON THE EAST SIDE OF WAKEFIELD FARM ROAD, NORTH OF STATE ROUTE 100; **HEREAFTER TO BE KNOWN AS "WAKEFIELD FOREST SUBDIVISION."** *Recommend by the Department of Planning (Second Reading) (Ward – One)*

WHEREAS, the City of Wildwood adopted a Master Plan and numerous ordinances to govern the use and subdivision of land that were intended to promote the implementation of "best development practices" within this community; and

WHEREAS, the Planning and Zoning Commission and the City Council adopted a Master Plan that created four (4) conceptual land use classifications for the community, one (1) of which is the NU Non-Urban Residential Area; an area where single family residential land uses at a three (3) acre density are encouraged due to the lack of supporting infrastructure and utilities and the prevalence of steep topography and other environmental factors; and

WHEREAS, the Non-Urban Residential Areas of the City are intended to preserve the rural character of designated properties within its boundaries, while encouraging innovative designs, preservation of the natural characteristics of the site, and the efficient and cost-effective extension of services and utilities, where available; and

WHEREAS, the owner of this 36.31 acre tract of land submitted a Preliminary Plat to the City for the creation of seven (7) lots, ranging from 3.159 acres to 12.44 acres in size, which are served by a system of internal, private cul-de-sac streets, as well as addressing the Natural Resource Protection Standards and Public Space Requirements (off-site improvements to Wakefield Farm Road) for this Non-Urban Residence District zoned development; and

WHEREAS, the Planning and Zoning Commission considered this plan/plat request, which identified areas of the property for development and protection, and established parameters for the placement of all improvements, and approved it on March 3, 2014; and

WHEREAS, Improvement Plans, the detailed engineering drawings, were then reviewed by the City of Wildwood, and received approval of the design of public and private subdivision improvements for the internal roadway, stormwater management facilities, individual household treatment systems for wastewater, grading and related items, and other considerations necessary for the proper integration and design of this subdivision into the surrounding area; and

WHEREAS, the seven (7) lots that will be created by this subdivision appear to fully meet and comply with all the requirements of the *Subdivision and Development Regulations* of the City of Wildwood with regards to their lot size and width, setbacks, and tree preservation requirements, as well as meeting the Natural Resource Protection Standards relative to soil and slope characteristics of the property; and

WHEREAS, *given that Wakefield Farm Road provides the sole access to these proposed seven (7) lots, and is maintained by the adjoining Wakefield Farm Subdivision, the owner of this development has now agreed to adopt that existing set of indentures/restrictions, in lieu of creating a stand-alone agreement for the same, thereby incorporating these parcels of ground into that area;* and

WHEREAS, the City of Wildwood, on September 1, 1995, adopted ordinances, codes, and regulations governing the development and use of land for the health, safety, and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AS FOLLOWS:

Section One. The City Council of the City of Wildwood, Missouri hereby approves the Record Plat (attached hereto), along with a trust indenture, a joint maintenance agreement, and/or the necessary script upon this instrument for the adoption of the Wakefield Farms Subdivision's indentures/restrictions, and Deposit Agreement, to be secured by associated Letters of Credit guaranteeing certain required improvements, for a seven (7) lot residential subdivision that is located upon a thirty-six (36) acre tract of land, being part of Adjusted Lot B Of Witbrodt/Wakefield Farm Road, according to the Boundary Adjustment Plat, recorded in Book 347, Page 493 of the St. Louis County Records; and contained in the Section 3, Township 44 North, Range 3 East, City Of Wildwood, St. Louis County, Missouri, and more specifically situated on the east side of Wakefield Farm Road, north of State Route 100; hereafter to be known as "Wakefield Forest Subdivision." These lots are graphically represented on the attached plat and accompanying legal descriptions and hereby adopted and made a part of this ordinance.

Section Two. The Director of Planning and the City Clerk are authorized and directed to evidence the approval of this Record Plat by affixing their signatures and the official seal of the City of Wildwood to a Certificate of Approval upon this instrument. The Director of Planning and the City Attorney are hereby also authorized to attest to the approval of the Trust Indenture and Joint Roadway Maintenance Agreement, which are a part of this proposed residential subdivision, *if needed*, by authorizing their recording as well. The petitioner is required and directed to record the approved Record Plat (within sixty (60) days of its approval by the City Council of the City of Wildwood, Missouri), Trust Indenture, and Joint Roadway Maintenance Agreement in the Office of the Recorder of Deeds of St. Louis County, Missouri.

Section Three. The Mayor, the City Attorney, and the Director of Planning are hereby authorized to sign the Deposit Agreement guaranteeing the installation of required subdivision improvements in this development indicating its compliance to the requirements of the City in this regard.

Section Four. This ordinance shall be in full force and effect, from and after its date of passage and approval, provided all required fees are paid to the City, all applicable provisions of the *Subdivision and Development Regulations* are met, and a recorded copy of the Record Plat and Trust Indenture are returned to the City by the petitioner.

THIS BILL WAS PASSED AND APPROVED THIS ___ DAY OF _____, 2016 BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AFTER HAVING BEEN READ BY TITLE, OR IN ITS ENTIRETY, TWO (2) TIMES PRIOR TO ITS PASSAGE.

Presiding Officer

Timothy Woerther, Mayor

ATTEST:

City Clerk

City Clerk